

# Notice of Allowability

Application No.

10/710,326

Examiner

Daniel I. Walsh

Applicant(s)

BONALLE ET AL.

Art Unit

2876

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7-6-07.
2. ☒ The allowed claim(s) is/are 1-19, 21-26, 28-34 and 49-52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 8-07
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 8-07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **DETAILED ACTION**

1. Receipt is acknowledged of the IDS received on 8-23-07, the Amendment received on 7-6-07, and the Terminal Disclaimer received on 8-23-07 and 8-31-07.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Howard Sobelman on 8-23-07.

The application has been amended as follows:

Replace claim 1 with:

1. A smartcard transaction system configured with a biometric security device, said system comprising: a smartcard configured to communicate with a reader, wherein said reader and said biometric security device are configured to communicate with a host; an integrated circuit device disposed within said smartcard and configured to communicate with said reader, said integrated circuit device comprising a common application and a second application, said second application being configured to store travel-related information associated with a cardholder; said second application comprising a common file structure and a partner file structure, wherein said partner file structure provides write access to a field within said partner file structure for a

first partnering organization and denies write access to said field for a second partnering organization, and said common file structure provides write access for said first partnering organization and said second partnering organization to a field in said common file structure; said biometric security device comprising a biometric sensor configured to communicate with said system and detect a first proffered biometric sample and a second proffered biometric sample, wherein said first proffered biometric sample is a different type of biometric sample from said second proffered biometric sample, and wherein said first proffered biometric sample and said second proffered biometric sample are from the same person, and wherein said first proffered biometric sample is required to access said common file structure and said second proffered biometric sample is required to access said partner file structure; a verification device configured to verify said first proffered biometric sample to facilitate access to said common file structure and configured to verify said second proffered biometric sample to facilitate access to said partner file structure; wherein upon verification by said verification device, said common application is configured to transfer common data to facilitate said transaction, and said second application is configured to transfer said travel-related information, information related to said common file structure and information related to said partner file structure to facilitate said transaction; a smellprint sensor configured to detect a proffered smellprint sample to generate data representing said proffered smellprint sample, said smellprint sensor configured to communicate with said system, wherein at least one of said first proffered biometric sample and said second proffered biometric sample includes said proffered smellprint sample; a device configured to verify said proffered smellprint sample to facilitate a transaction; a first enterprise data collection unit associated with a first enterprise, said first enterprise data collection unit

configured to store update transactions and pending transactions associated with said smartcard and said first enterprise; a second enterprise data collection unit associated with a second enterprise, said second enterprise data collection unit configured to store update transactions and pending transactions associated with said smartcard and said second enterprise; at least one access point configured to interface with said smartcard and said first and second enterprise data collection units; a card object database system coupled to said first and second enterprise data collection units and configured to store said smartcard information in accordance with said update transactions and said pending transactions, wherein said smartcard information includes a card object having at least one application; an update logic system configured to route said smartcard information from said first and second enterprise data collection units to said at least one access point in order to effect synchronization of said smartcard information associated with said smartcard and said card object database system; and, wherein said verification device activates said update logic system upon verification of said first proffered biometric sample and said second biometric sample.

Cancel claim 20

Replace claim 23 with:

23. A method for facilitating biometric security in a smartcard transaction system having a biometric security device, said method comprising: communicating with a smartcard, wherein said smart card comprises a common application and a second application, said second application storing travel-related information associated with a cardholder, said second

application comprising a common file structure and a partner file structure; receiving a first proffered biometric sample and a second proffered biometric sample, wherein said first proffered biometric sample is a smellprint sample for facilitating authorization of said smartcard transaction; generating data representing said smellprint sample; wherein said first proffered biometric sample is a different type of biometric sample from said second proffered biometric sample, and wherein said first proffered biometric sample and said second proffered biometric sample are from the same user, and wherein said first proffered biometric sample is required to access said common file structure and said second proffered biometric sample is required to access said partner file structure; verifying said first proffered biometric sample and a second proffered biometric sample; enabling write access to a field within said partner file structure upon verification of said second proffered biometric sample and upon request by a first partnering organization; denying write access to said field upon request by a second partnering organization; enabling write access for said first partnering organization and said second partnering organization to a field in said common file structure, upon verification of said first proffered biometric sample; transferring common data to facilitate said smartcard transaction; and, transferring said travel-related information, information related to said common file structure and information related to said partner file structure to facilitate said smartcard transaction; wherein said smartcard transaction system includes: a first enterprise data collection unit associated with a first enterprise, said first enterprise data collection unit configured to store update transactions and pending transactions associated with said smartcard and said first enterprise; a second enterprise data collection unit associated with a second enterprise, said second enterprise data collection unit configured to store update transactions and pending

transactions associated with said smartcard and said second enterprise; at least one access point configured to interface with said smartcard and said first and second enterprise data collection units; a card object database system coupled to said first and second enterprise data collection units and configured to store said smartcard information in accordance with said update transactions and said pending transactions, wherein said smartcard information includes a card object having at least one application; an update logic system configured to route said smartcard information from said first and second enterprise data collection units to said at least one access point in order to effect synchronization of said smartcard information associated with said smartcard and said card object database system; and, wherein said verification device activates said update logic system upon verification of said first proffered biometric sample and said second biometric sample.

Cancel claim 27

Cancel claim 48

***Allowable Subject Matter***

2. Claims 1-19, 21-26, 28-34 and 49-52 are allowed.
3. The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach the limitations of the independent claims, including the claim limitations regarding the first and second enterprise data collection unit, the access point, the card object database system, and the update logic system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel I. Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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D. Walsh

A handwritten signature in black ink, appearing to read 'DW', with a large, stylized flourish extending from the end.

Daniel I Walsh  
Examiner  
Art Unit 2876

DANIEL WALSH  
PRIMARY EXAMINER